

Appln. No. 09/890,641  
Amdt. dated December 29, 2004  
Reply to Office Action of September 30, 2004

#### **REMARKS/ARGUMENTS**

Reconsideration of the present application, as amended, is respectfully requested.

The September 30, 2004 Office Action and the Examiner's comments have been carefully considered. In response, claims are amended, and remarks are set forth below in a sincere effort to place the present application in form for allowance. The amendments are supported by the application as originally filed. Therefore, no new matter is added.

#### **DRAWINGS**

In the Office Action, the drawings are objected to because the Examiner contends that they fail to show the claimed method steps as set forth in claims 1-7. In response, Applicant respectfully points out to the Examiner that the present application is a U.S. National Phase application under 37 USC 371 of International Application Serial No. PCT/EP00/00490. The Examiner's attention is directed to MPEP §1893.03(f) which states that the drawings for a national stage application must comply with PCT Rule 11 and that the drawings provided by the International Bureau (IB) have already been checked by the IB and should be in compliance with PCT Rule 11. The MPEP further states

that the drawings provided by the IB should be acceptable and that the United States Patent Office may not impose requirements beyond those imposed by Rule 11 of the Patent Cooperation Treaty. Since the drawings are in compliance with Rule 11 of the Patent Cooperation Treaty, the Examiner's objection to Figure 3 is improper. Reconsideration and withdrawal of the objection to the drawings in view of the foregoing remarks are respectfully requested.

The drawings are also objected to under 37 CFR 1.83(a) because the Examiner contends that the drawings fail to show the claimed method steps as stated in claims 1-7. In response, Fig. 4 is added to the present application to show the claimed method steps as set forth in claims 1-7. In view of the amendment of the drawings to include new Fig. 4, reconsideration and withdrawal of the objection to the drawings are respectfully requested.

#### SPECIFICATION

In the Office Action the specification is objected to as not having proper section headings. In response, section headings have been added, and an Abstract of the Disclosure has been added at the end of the application.

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In view of the amendment of the specification, reconsideration and withdrawal of the objection to the specification are respectfully requested.

ALLOWABLE SUBJECT MATTER

The Examiner's indication that claims 8-15 are allowed is acknowledged and appreciated. Claims 8-15 are amended to be in better form for allowance. The amendments to claims 8-15 are not related to the patentability of the claims.

REJECTION UNDER 35 USC 112

In the Office Action claims 1-7 and 16-20 are rejected under 35 USC 112, first paragraph, as failing to comply with the written description requirement. In response, the Detailed Description is amended to include support for the invention as recited in claims 1-7 and 16-20. As indicated above, the specification is also amended to include a new drawing figure (FIG. 4) to correspond to the amendments to the written description. Support for the amendments to the specification can be found in the original application as filed (see claims 1-7 and 16-20). In view of the amendment of the Detailed Description, reconsideration and

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withdrawal of the rejection of claims 1-7 and 16-20 under the first paragraph of 35 USC 112 are respectfully requested.

In the Office Action claims 3, 6, 16, 19 and 20 are rejected under the second paragraph of 35 USC 112 as being indefinite for failing to particularly point out and distinctly claim the subject matter which Applicant regards as the invention. In response, claims 3, 6, 16 and 19 are amended in a sincere effort to address each of the points raised by the Examiner. In view of the amendment of claims 3, 6, 16 and 19, reconsideration and withdrawal of the rejection under the second paragraph of 35 USC 112 are respectfully requested.

\* \* \* \* \*

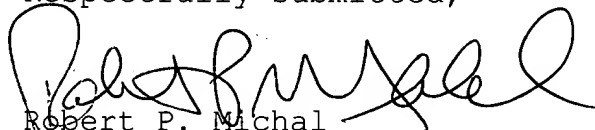
If the Examiner disagrees with any of the foregoing, the Examiner is respectfully requested to point out where there is support for a contrary view.

Entry of this Amendment, allowance of the claims, and the passing of this application to issue are respectfully solicited.

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If the Examiner has any comments, questions, objections or recommendations, the Examiner is invited to telephone the undersigned at the telephone number given below for prompt action.

Respectfully submitted,

  
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Encls.: Annotated Sheet (1) Showing Changes to Fig. 4

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**Amendments to the Drawings:**

The attached annotated sheet showing changes includes the addition of new Fig. 4.

Attachment: Annotated Sheet (1) Showing Changes to new Fig. 4